POSITION PAPER-CANADA

Committee: Disarmament and International Security Commitee (DISEC)

Agenda: Regulating the Use of Privite Military and Security Companies

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Country: Dominion of Canada

 As the Government of Canada, we recognize that there is increased reliance on PMSCs in certain circumstances, and we admit that in such circumstances there are both benefits and significant risks that cannot be underestimate.Canada has long supported first and foremost human rights, and secondly multilateral diplomacy and the rule of international law. In this context, it advocates that PMSCs be addressed and regulated by the united nations and limited by various laws. Inadequate restraint leads to human rights violations, weakens the freedom of states and with developing countries unable to intervene adequately,creats an unfair enviroment.

 PMCSs operate in conflict and post-conflict environments. They operate in combat support, information gathering, protection and training, etc. However, legal classifications of PMCSs in international law are still insufficient. The Geneva Convention forms the basis of humanitarian law but does not contain any restrictive provisions for PMCSs. Similarly, the definition of mercenaries in the International Convention against the Recruitment, Use, Financing and Training of Mercenaries does not cover PMSC personnel and is therefore ineffective.

 The Montreux Document is very important in defining the responsibilities of countries, but its implementation is limited because it is not binding. Canada supports the Montreux Document and initiatives to make it more binding.

 Canada has always supported the protection of people, the maintenance of peace and respect for international law, and while it does not rely extensively on PMCSs for military operations, it recognizes their benefits in some areas, under strict supervision and control. Canada is particularly concerned about the following issues:

 Lack of legal accountability mechanisms for PMSCs.

 The potential harm of developed states' monopoly of power.

 The use of PMSCs by authoritarian regimes to bypass international norms.

 Canada clearly wants to ensure that there is no distinction between state-integrated PMSCs (such as the Wagner Group) and commercial service providers, and that international law addresses the threats posed by PMSCs.

 Some of our sample solutions are given below:

1: A new binding contract for PMSCs needs to be developed.

2: The creation of a PMSC database managed by the UN to monitor and supervise PMSC firms is desired.

3: PMSCs should only support UN operations in non-combat settings and should do so under direct UN supervision.

4: All countries should adopt national laws reflecting the Montreux principles.

5: A separate UN fund for developing countries should be established to establish monitoring units for regulatory frameworks for PMSCs.

 Canada is, and always will be, committed to the rules-based international order, and advocates that PMSCs should follow it as well.